

## AGENDA BILL

### Beaverton City Council Beaverton, Oregon

**SUBJECT:**

Human Rights Advisory  
Commission Bylaws

**BILL NO. 94-13****FOR AGENDA OF:** January 10, 1994**APPROVED FOR AGENDA BY:** **DEPT. OF ORIGIN:** Human Resources**DATE SUBMITTED:** January 4, 1994**PROCEEDING:**

Worksession and Action

**CLEARANCES:** City Attorney **EXHIBITS:** Bylaws**BUDGET IMPACT**

EXPENDITURE REQUIRED: \$0	AMOUNT BUDGETED: \$0	APPROPRIATION REQUIRED: \$0
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**BACKGROUND:**

A nine member Human Rights Advisory Commission was established by Ordinance No. 3841 at the Council meeting of April 12, 1993. Commission members were appointed during the month of August 1993 and the first meeting was held October 4, 1993. At that meeting, the Commission was told that its first duty was to develop bylaws which would be brought back to the City Council for final approval. Since October the Commission met to develop and approve bylaws. At the December 27 meeting, the Commission adopted bylaws which it now brings to the Council for approval.

In preparing the bylaws, the Commission found that there was some confusion in the ordinance over the role of the Commission in investigating complaints and in the role of City staff in processing complaints. The Commission therefore is also recommending that the Ordinance be revised to clarify these two areas. The bylaws have been prepared consistent with what the Commission has been told its role is and the role of City staff.

The next major work of the Commission will be to develop procedures to follow in the acceptance and investigation of complaints.

**RECOMMENDED ACTION:**

Approve the bylaws as adopted by the Human Rights Advisory Commission.

Portland City Council  
Portland, Oregon

EXHIBIT THREE

RECOMMENDATION  
RECOMMENDATION TO

The City Council is recommended to approve the proposed ordinance which would amend the City Charter to provide for the creation of a new position of City Clerk. The ordinance would also provide for the removal of the City Clerk from the City Council and the creation of a new position of City Clerk. The ordinance would also provide for the removal of the City Clerk from the City Council and the creation of a new position of City Clerk.

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RECOMMENDATION TO

RECOMMENDATION TO

RESOLUTION NO. 01-01

A RESOLUTION AMENDING BYLAWS AND  
RULES OF PROCEDURE FOR THE  
ORGANIZATION OF AND CONDUCT OF  
BUSINESS BY THE BEAVERTON HUMAN RIGHTS  
ADVISORY COMMISSION.

BE IT RESOLVED BY THE HUMAN RIGHTS ADVISORY COMMISSION  
OF THE CITY OF BEAVERTON, OREGON:

The following amendment to the bylaws, rules and regulations are hereby adopted  
by the Human Rights Advisory Commission for the transaction of its business:


ARTICLE IV

Meetings

Section 7. Attendance.

Regular attendance at the meetings of the Commission is essential to the effectiveness and efficiency of the Commission. If a member of the Commission is unable to attend a meeting, he or she is expected to notify the staff liaison. Failure to notify the staff liaison before the start of a regular meeting will result in the absence being considered "unexcused". Two or more "unexcused" absences in one calendar quarter will result in the Chairperson of the Commission sending a written request to the Mayor asking that he replace the member. The Commission recognizes that the Mayor and City Council appoint Commission members and are the only authority authorized to request or accept the resignation of a Commission member.

Adopted by the Human Rights Advisory Commission of the City of Beaverton, Oregon with a quorum in attendance at its regular meeting of January 8, 2001, and signed by the Chairperson in authentication of its adoption this 8th day of January, 2001.

  
Human Rights Advisory Commission  
City of Beaverton, Oregon



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ADOPTING BYLAWS AND RULES  
OF PROCEDURE FOR THE ORGANIZATION OF  
AND CONDUCT OF BUSINESS BY THE  
BEAVERTON HUMAN RIGHTS ADVISORY  
COMMISSION.**

BE IT RESOLVED BY THE HUMAN RIGHTS ADVISORY COMMISSION  
OF THE CITY OF BEAVERTON, OREGON:

The following bylaws, rules and regulations are hereby adopted by the Human  
Rights Advisory Commission for the transaction of its business:

**ARTICLE I**

**Background; Authority**

**Section 1. Explanation and Interpretation.**

A nine member Human Rights Advisory Commission has been established by Ordinance No. 3841, as amended. Ordinance No. 3841 was enacted by the City Council pursuant to the authority of the home rule Charter of the City of Beaverton. The nine members of the Commission shall be demographically representative of the residents of the city of Beaverton. The Commission is empowered to adopt and amend rules and regulations to govern the conduct of its business, consistent with the Charter and ordinances of the City and official policies promulgated by the Council. To the extent consistent with the charter and ordinances of the city, as well as other applicable laws, this resolution sets out the complete rules governing the organization and procedures of the Human Rights Advisory Commission.

**ARTICLE II**

**Officers**

**Section 1. Officers.**

The officers of the Commission shall be a Chairperson and Vice-Chairperson. The Human Resources Director shall act as staff liaison to the Commission. The staff liaison

shall schedule matters before the Human Rights Advisory Commission and shall prepare reports including all relevant information for use by the Commission in formulating recommendations.

Section 2. Election.

A. The Chairperson and Vice-Chairperson shall be elected in January for a term of one calendar year, and shall serve until their successors are elected and qualified.

B. If the office of the Chairperson or Vice-Chairperson becomes vacant, the Commission shall elect a successor from its membership who shall serve the unexpired term of the predecessor.

C. Nominations of officers shall be by oral motion. At the close of nominations, the Commission shall vote by voice vote upon the names nominated for the office.

D. Members of the Commission holding office at the time of adoption of this resolution shall continue to hold office for the term for which they were elected and until their successors are elected.

Section 3. Chairperson.

A. Except as otherwise provided herein, the Chairperson shall have the duties and powers to:

- 1) Preside over all deliberations and meetings of the Commission;
- 2) Vote on all questions before the Commission;
- 3) Call special meetings of the Commission in accordance with these bylaws;
- 4) Sign all documents memorializing Commission action promptly after approval by the Commission. The power to sign reports and other documents of the Commission may be delegated to the staff liaison.

B. All decisions of the Chairperson as presiding officer shall be subject to review by a majority of Commission members present upon motion duly made and seconded, which motion shall have priority over all other matters.



#### Section 4. Vice-Chairperson.

During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson. In the absence of the Chairperson and the Vice-Chairperson, the remaining members present shall elect an acting Chairperson.

#### Section 5. Staff Liaison

A. The staff liaison, and/or designee, shall be the staff to the Commission, and shall:

- 1) Maintain an accurate, permanent and complete record of all proceedings conducted before the Commission;
- 2) Prepare the agenda and minutes for all Commission meetings;
- 3) Give all notices required by law;
- 4) Inform the Commission of correspondence relating to Commission business and conduct correspondence of the Commission as directed by the Commission;
- 5) Attend all meetings and hearing of the Commission or send a designee;
- 6) Compile all required records and maintain the necessary files.

B. The staff liaison shall maintain records of information received, complaints, hearings, continuances, postponements, date of sending notice, final disposition of matters and other steps taken or acts performed by the Commission, its officers, and the staff liaison.

C. The staff liaison shall perform such other duties for the Commission as are customary in that role or as may, from time to time, be required by the Commission.

#### Section 6. City Attorney.

The City Attorney shall provide legal assistance to the Commission on matters coming before it, may prepare documents as needed memorializing Commission action and may question witnesses testifying before the Commission.

ARTICLE III  
Responsibilities of Commission

Section 1. Responsibilities.

The powers, duties and functions of the Human Rights Advisory Commission shall be:

A. To promote harmonious intergroup relations within the city of Beaverton by enlisting the cooperation of various racial, religious, and nationality groups, business, community, labor and government organizations, fraternal and benevolent associations, educational and other groups.

B. To examine sources of tension, practices of discrimination and acts of prejudice within the city of Beaverton.

C. To perform conciliatory services that do not conflict with the functions of any other government agency or city department.

D. To investigate information and complaints regarding possible acts of discrimination or prejudice.

E. To make recommendations concerning solutions to specific problems of prejudice or discrimination

F. To recommend to the city council action, policies and legislation to be considered by state and local governments

G. To make such reports to the city council as the council may request.

Section 2. Limit on Responsibilities

The Commission shall suspend its investigative activities in any matter where its actions are apparently in conflict with a proceeding being conducted by any other government agency or City department involving the same parties and subject matter.



## ARTICLE IV

### Meetings

#### Section 1. Regular Meetings.

Regular meetings of the Commission shall be held at least once each month in the City Hall, 4755 S.W. Griffith Drive, Beaverton, Oregon, or at such other places as may be determined by the Commission, at such time as designated by the Commission. Meeting dates are normally chosen for timely action on issues submitted for the Commission's consideration. At regular meetings, the Commission may consider all matters properly brought before it without the necessity of prior notice thereof given to any members.

#### Section 2. Annual Meeting.

The annual meeting of the Commission shall be the first regular meeting of the Commission in January of each year. Such meeting shall be devoted to orientation of new members, education and training, and other matters related to the organization and administration of the Commission.

#### Section 3. Special Meetings.

The Chairperson of the Commission upon his or her own motion may, or upon the request of a majority of the members of the Commission shall, call a special meeting of the Commission. Unless otherwise specified in the call, all special meetings shall be held at the regular meeting place of the Commission. Notice of special meetings shall be given personally or by mail to all members of the Commission and the staff liaison not less than forty-eight (48) hours in advance thereof. In case of an emergency, a special meeting may be held upon such notice as is appropriate and lawful in the circumstances; provided, however, that reasonable effort is made to notify all members of the Commission.

#### Section 4. Open Meetings.

All meetings of the Commission shall be open to the public, except that the Commission may hold executive sessions, from which the public may be excluded, in such

manner and for such purposes as may be authorized by law. Representatives of the news media shall be allowed to attend executive sessions under such conditions governing the disclosure of information as provided by law.

Section 5. Notice of Meetings.

A. In addition to notice required to be given to Commission members and the staff liaison, public notice of all Commission meetings shall be given in a manner reasonably calculated to give actual notice to interested persons subject to Oregon law. The notice shall consist of the time and place of the meeting and an agenda or summary of the subject matter to be considered.

B. The Human Rights Advisory Commission's staff liaison shall forward notice to the First Floor Receptionist who will post the notice on a bulletin board in the City Hall, to the City Recorder, local news media representatives and to the persons and organizations as provided by law. At the discretion of the staff liaison, notice may also be provided to persons and organizations known to have a special interest in matters to be considered by the Commission.

C. Notice shall be given not less than forty-eight (48) hours in advance of a meeting; provided, however, that in case of an emergency, a meeting may be held upon such public notice as is appropriate and lawful in the circumstances.

D. Failure to provide notice as specified in this section shall not invalidate any decision or proceeding of the Commission.

Section 6. Agenda; Order of Business.

A. The order of business at all meetings shall be determined by the agenda which shall be composed generally of the following items:

- 1) Call to order and roll call;
- 2) Minutes of previous meeting;
- 3) Report of staff liaison (Human Resources Director), City Officials and staff;
- 4) Reports of committees;
- 5) Oral communications - visitors;

- 6) Hearings;
- 7) Miscellaneous business; and
- 8) Adjournment.

B. Any item may be taken out of order by direction of the Chairperson.

C. Actions of the Commission are not limited to the prepared agenda.

D. Hearings will be stopped at 9:00 p.m., unless there is a motion from the Commission to extend the time of that hearing. In the absence of that motion, the issue will be taken up at a future meeting as provided by motion of the Commission.

#### Section 7. Attendance.

If a member of the Commission is unable to attend a meeting, he or she is expected to notify the staff liaison.

#### Section 8. Quorum.

At any meeting of the Commission, a quorum shall consist of five (5) members. No formal action shall be taken in the absence of a quorum except to adjourn the meeting, and to continue any item or meeting to a time and place certain; except the commission may choose to accept written and oral testimony as presented by citizens. For the purposes of forming a quorum, members who have disqualified or excused themselves from participation in any matter shall be counted as present.

#### Section 9. Voting.

A. Except as provided by these bylaws, rules of conduct or Oregon law, each member of the Commission is entitled to vote on all matters at all meetings of the Commission. The Mayor, the City Attorney, staff liaison and such other City personnel as the Mayor may from time to time designate are entitled to participate in discussion, but do not have the right to vote. Each Commission member is deemed to have notice of all prior Commission deliberations and proceedings.

B. Unless otherwise specified herein, the concurrence of a majority of the members of the Commission voting shall be necessary to determine any question before the Commission. Majority is based on the number of votes cast, excluding abstentions, disqualifications, and absences. A tie vote causes the motion to fail.

C. When a matter is called for a vote, the Chairperson shall, before a vote is taken, restate the question and shall announce the decision of the Commission after such vote.

D. Voting shall be by voice vote. Negative and abstaining votes on any matter shall be recorded.

E. Voting "in absentia" or by proxy is not permitted.

F. A motion to reconsider can be made only at the same meeting the vote to be reconsidered was taken. Suspension of this rule is not permitted.

#### Section 10. Continuances, Remands.

A. Any item before the Commission may be continued to a subsequent meeting. A motion to continue an item shall specify the date or event upon which continuation is to be based. If a matter which originally required public notice by law is continued without setting time and place certain, the public notification must be repeated when time and place are made certain. A list of continued items, showing the date at which an item was continued, the date to which an item is continued or the event upon which continuance is based, shall be recorded and kept by the staff liaison and made available to the public.

B. Unless otherwise provided by the Council upon remand, any item remanded by the Council for reconsideration by the Commission shall be treated as a new item and proceedings shall be provided for as if the matter were initially before the Commission.

C. A member must be present during the entire hearing in order to participate in the deliberations and final determination regarding the hearing.

## Section 11. Rules of Procedure.

All rules of order not herein provided for shall be determined in accordance with the latest edition of "Robert's Rules of Order Newly Revised." However, the Commission has an obligation to be as clear and simple in its procedure as possible.

## Section 12. Minutes

A. The staff liaison or a designee shall be present at each meeting and shall cause the proceedings to be stenographically or electronically recorded. A full transcript is not required but written minutes giving a true reflection of the matters discussed at a meeting and the view of the participants shall be prepared and maintained by the staff liaison. Executive sessions are excluded from published minutes.

B. Minutes shall be available to the public, upon request, within a reasonable time after a meeting and shall include the following:

- 1) Members present;
- 2) Motions, proposals and measures proposed and their disposition;
- 3) Results of all votes including the vote of each member by name if not unanimous; and
- 4) Substance of any discussion of any matter.

C. The staff liaison may charge a reasonable fee for copies of minutes and other materials relating to Commission matters.

D. Commissioners are expected to vote for approval of the minutes based on the accuracy of representation of events at the meeting. A vote in favor of adopting minutes does not signify agreement or disagreement with the Commission's actions memorialized in the minutes.

E. Any Commissioner not present at a meeting must abstain from voting on approval of the minutes of that meeting.

ARTICLE V  
Advisory Committees

Appointment. Advisory committees to the Commission may be appointed by the Commission, with the concurrence of the Commission members, Mayor and Council, for the consideration of special assignments.

ARTICLE VI  
Procedures

The Commission shall develop such procedures as it deems appropriate and which are consistent with the authority granted by the City Council. Such procedures shall include as a minimum definitions and requirements for filing a complaint, standards for evidence, burden of proof and definitions of the criteria it will apply in making recommendations following investigations and/or hearings.

ARTICLE VII  
Publication and Amendment of Bylaws and Rules of Procedure

Section 1. Publication and Distribution. A copy of these bylaws and rules of procedure and any additional procedures developed by the Commission shall be:

- A. Placed on record with the City Recorder and the staff liaison of the Commission;
- B. Available at each Commission meeting;
- C. Distributed to each member of the Commission; and
- D. Available to the public for the cost of duplication.

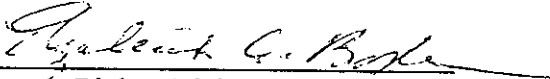
Section 2. Amendment and Suspension

A. These bylaws, rules and regulations may be amended by approval of a majority of the members of the entire Commission at a regular or special meeting, provided notice of the proposed amendment is given at the preceding regular meeting or a least five (5)

days' written notice is delivered to or mailed to the home address of each Commissioner. The notice shall identify the section or sections of this resolution proposed to be amended. The Council shall give final approval to any amendment of the bylaws.

B. Notwithstanding subsection A above, any rule of procedure not required by law may be suspended temporarily at any meeting by majority vote of those members present and voting, except the rule on reconsideration.

Adopted by the Human Rights Advisory Commission of the City of Beaverton, Oregon with a quorum in attendance at its regular meeting of December 27, 1993, and signed by the Chairperson in authentication of its adoption this 3rd day of January, 1994.

  
Human Rights Advisory Commission  
City of Beaverton, Oregon



